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WITHERS & KEYS, LLC
An Intellectual Property Law Firm

Facsimile Cover Sheet

To: **Examiner Nguyen**

                                Fax No. 703-746-5864

From: **Jeramie Keys**   **Fax No. 678-565-4749**
               Withers & Keys, LLC

OK to enter
HN
5/18/05

Date: July 30, 2004

9 pages : cover, power of attorney, 7 pages of pending claims

Application No.: 09/665,582

Message Text:

Examiner Nguyen,

As discussed on the phone, I am providing an agenda and the pending claims for our teleconference/interview scheduled for Tuesday the 3rd for this case. I have included an executed power of attorney for this case with this fax.

Agenda:
Discuss apparent deficiencies in the Kaffine reference relative to the currently pending claims. Namely, discuss that the IDUs of Kaffine are what send the pings as opposed to the end user's computer and discus why these IDUs cannot be the end user's computer even though they may be present at the user's premises. For example, the IDUs must be capable of communicating both "inwardly" to the network and "outwardly" from the network to the end user's computer. Furthermore, discuss that the routers provided in Kaffine are out of place relative to the routers of the claims such that the IDUs pinging the network are not utilizing the router between the user's computer and the network, and especially not between the user's computer and the DSLAM. Any communication from the user's premises to the DSLAM does NOT pass through router 64, as required by the claims.

Further, as an ancillary matter, discuss additional subject matter not currently in the claims that might be a topic of an amendment, such as the user's computer sending the requests without user intervention whereas the the user must make contact with the IDU to trigger the pings to be sent to start a diagnostic process.
Thanks,
Jeramie Keys, 42,724